

IN THE UNITED STATES DISTRICT COURT
FOR THE Eastern DISTRICT OF TEXAS
Tyler DIVISION

Form To Be Used By A Prisoner in Filing a Complaint
Under the Civil Rights Act, 42 U.S.C. § 1983

Yusef Hollins #1864680
Plaintiff's name and ID Number

Clements Unit 9601 Spur 59, Amarillo Tx. 79107
Place of Confinement

CASE NO: 6:17cv356
(Clerk will assign the number)

v.

Hollman Michael Unit 2404 FM Tennessee
Defendant's name and address

Defendant's name and address

Defendant's name and address
(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the Clerk of the United States Court for the appropriate District of Texas in the Division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. The list labeled as "VENUE LIST" is posted in your unit law library. It is a list of Texas prison units indicating the appropriate District Court, the Division and an address of the Divisional Clerks.

FILING FEE AND IN FORMA PAUPERIS

1. In order for your complaint to be filed, it must be accompanied by the filing fee of **\$350.00**.
2. If you do not have the necessary funds to pay the filing fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis* (IFP), setting forth the information to establish your inability to prepay the fees and costs or give security therefore. You must also include a six (6) month history of your Inmate Trust Account. You can acquire the application to proceed IFP and appropriate Inmate Account Certificate from the law library at your prison unit.
3. 28 U.S.C. 1915, as amended by the Prison Litigation Reform Act of 1995 (PLRA), provides, "...if a prisoner brings a civil action or files and appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." Thus, the Court is required to assess and, when funds exist, collect, the entire filing fee or an initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the Court will apply 28 U.S.C. 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your Inmate Account, until the entire **\$350** filing fee has been paid.
4. If you intend to seek *in forma pauperis* status, then do not send your complaint without an Application to Proceed IFP, and the Certificate of Inmate Trust Account. Complete all the essential paperwork before submitting it to the Court.

CHANGE OF ADDRESS

It is your responsibility to inform the Court of any change of address and its effective date. Such notice should be marked **"NOTICE TO THE COURT OF CHANGE OF ADDRESS"** and shall not include any motions(s) for any other relief. Failure to file a NOTICE TO THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedures.

I. PREVIOUS LAWSUITS:

- A. Have you filed any other lawsuits in the state or federal court relating to imprisonment? ✓ YES NO
- B. If your answer to "A" is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)
 1. Approximate date of filing lawsuit: April 18, 2016
 2. Parties to previous lawsuit:
 Plaintiff(s): Myself Yusef Hollins #1864680
 Defendant(s): Officers B. Becker M. Larson
 3. Court (If federal, name the district; if state, name the county) Eastern District
 4. Docket Number: 6:16cv360
 5. Name of judge to whom case was assigned: Ron Clark
 6. Disposition: (Was the case dismissed, appealed, still pending?)
Still Pending
 7. Approximate date of disposition: None, Still Pending

II. PLACE OF PRESENT CONFINEMENT: B. Clements, 9601 Spur 591, Amarillo Tx. 79107

III. EXHAUSTION OF GRIEVANCE PROCEDURES:

Have you exhausted both steps of the grievance procedure in this institution? ☒ YES ☐ NO

Attach a copy of the Step 2 grievance with the response supplied by the prison system.

IV. PARTIES TO THE SUIT:

A. Name of address of plaintiff: Myself Yusef Hollins #1864680
B. Clements 9601 Spur 591, Amarillo Tx. 79107

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: Holman Captain Michael Unit 2664 FM 2054

Briefly describe the act(s) or omission(s) of this defendant, which you claimed harmed you.

Defendant #2: _____

Briefly describe the act(s) or omission(s) of this defendant, which you claimed harmed you.

Defendant #3: _____

Briefly describe the act(s) or omission(s) of this defendant, which you claimed harmed you.

Defendant #4: _____

Briefly describe the act(s) or omission(s) of this defendant, which you claimed harmed you.

Defendant #5: _____

Briefly describe the act(s) or omission(s) of this defendant, which you claimed harmed you.

V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal argument or cite any cases of statutes. If you intent to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember that the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

During the Major Disciplinary Hearing the D.H.O Capt. On 6-27-16 did intentionally and knowingly found me guilty despite clean and present evidence and testimony by an Officer witness. So due to this Capt finding me guilty despite the contradictions the charging officers (T. Botello) report and Cross-examination (both are white) it's obvious that the Capt. simply found me guilty based on favoritism and prejudice solely because of his authority to do so and punish me to the harshest degree 45-45-45 and I lost Good/Work time Credits among other things, that despite Parole Justifications of Parole being a privilege and Not a Right. My History during my confinement is and have always been a factor within the determination to actually be privilege. So upon exhausting my institutional - remedies, On Oct. 11, 2016, the case was overturned, reversed, and the Step 2 indicated that it's been invalidated by official action.

VI. RELIEF: State briefly exactly what you want the court to do for you. Make no legal arguments. Cite not cases or statutes.

The Repercussion I have suffered and still suffering from the effects of disciplinary Case No. *20160313199 The relief sought is Monetary Compensation of \$40,000 for all damages

VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases:

Kenyatta Williams, Anthony Collins

B. List all TDCJ-ID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you, if know to you.

759700, 1048959 and Current #1864680 all T.D.C.J-ID

VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? ____ YES ☒ NO

B. If your answer is "yes", give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (If federal, give district and division): None

2. Case Number: None

3. Approximate date sanctions were imposed: None

4. Have the sanctions been lifted or otherwise satisfied? — YES — NO

C. Has any court ever warned or notified you that sanctions could be imposed? ____ YES ☒ NO

D. If your answer is "yes", give the following information for every lawsuit in which warning was imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed warning (if federal, give the district and division): NONE

2. Case number: NONE

3. Approximate date warning were imposed: NONE

Executed on: 6-8-17
(Date)

Yusef Hollins
(Printed Name)

Yusef Hollins
(Signature of Plaintiff)

PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachment thereto are true and correct.
2. I understand if I am released or transferred, it is my responsibility to keep the Court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand that I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions in a Court of the United States while incarcerated or detained in any facility, which lawsuits are dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger or serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire **\$350** filing fee and costs assess by the Court, which shall be deducted in accordance with the law from the inmate account by my custodian until the filing fee is paid.

Signed this 8th day of June, 20 17.
(Day) (Month) (Year)

Yusef Hollins
(Printed Name)

Yusef Hollins
(Signature of Plaintiff)

WARNING: The Plaintiff is hereby advised any false or deliberately misleading information provided in response to the following questions will result in the imposition of sanctions. The sanctions the Court may impose include, but are not limbed to monetary sanctions and/or the dismissal of this action with prejudice.



Texas Department of Criminal Justice

STEP 2

OFFENDER
GRIEVANCE FORM

Offender Name: YUSEF Hollins TDCJ # 1864680
 Unit: Beto BC Housing Assignment: XA-03
 Unit where incident occurred: Michael HSA207

OFFICE USE ONLY

Grievance #: 2016168886
 UGI Recd Date: 8/16/16
 HQ Recd Date: AUG 18 2016
 Date Due: 9.15.16
 Grievance Code: 400
 Investigator ID#: 10742
 Extension Date: 10-15-16

You must attach the completed Step 1 Grievance that has been signed by the Warden for your Step 2 appeal to be accepted. You may not appeal to Step 2 with a Step 1 that has been returned unprocessed.

Give reason for appeal (Be Specific). I am dissatisfied with the response at Step 1 because...

Now this is a perfect example showing that these Warden's office do not truly investigate and it doesn't matter where these women staffs are at and the fact that they don't have to present or give a warning before writing a case. The whole prison system is in trouble because unless they take women completely out of the system they can sneak up on a inmate and see him masturbating or be somewhere far distant (such as my case scenario over 50ft. away) and see some genitals and if it appears a movement of such is occurring than they (she) can write a case. From that type of distance how can a female staff can prove she gave me a warning? Hand signed language? On my case in particular there was another female officer working the floor and the way Michael's Unit shape (designed) the witness would have been in a better position to see the Masturbation in Public and be able to state or give me a warning first, than someone (changing officer) in a secluded, almost total darkness pickett that is over 50ft away and NO hand gestures nor hand signed language came from that direction to indicate she can vividly see what I was doing. So this could be a result of retaliation or just some kind of personal problem with me due to other incidents. I truly believe that they found me guilty and the Warden didn't take time to investigate is because she the changing officer is a White Lady and I'm a Black Man an offender in T.D.C.J. Basically what else can be the excuse other than my prior's. So if this don't get overturned than this is another indication that these grievances are truly ineffective and insufficient and it's ineffectiveness. So once again let's look at all my proving evidence at my exposal (1). I was in the shower so naturally a woman will

- see a Naked man cleaning His genital area I apologize for cleaning mine a certain way (2). There was no kind of warning from Soft. away indicating I was being watched or to stop doing whatever I was so-called doing (3). I had a prime witness that was present and was a lot closer than Soft. away (working on the floor) However the Charging Officer's only have her suspicious thought and watch who you will choose to be the truth. Her (4) is better than my (3) is more.

Offender Signature: Myself HollinsDate: 8-16-16

Grievance Response:

Disciplinary cases # 20160313199 will be overturned. Your records regarding this case will be corrected. The option to rehear this case will be left to the Warden's discretion.

Signature Authority:

 M. BLALOCK

Date:

OCT 11 2016

Returned because: *Resubmit this form when corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Illegible/Incomprehensible.*
- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments.*
- ☐ 5. Malicious use of vulgar, indecent, or physically threatening language.
- ☐ 6. Inappropriate.*

CGO Staff Signature: _____

OFFICE USE ONLY**Initial Submission**

CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____

2nd Submission

CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____

3rd Submission

CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____

In The United States District Court

For The Eastern District of
Tyler Division

6:17cv356
RWS/KNM

Vusef Hollins #1864680

§

vs.

§

Case No _____

Capt. Holman



§

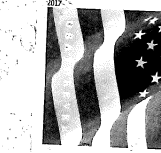
Dear Honorable Judge/Clerk

I have proof that I've been getting denied or delayed Certain Legal books or other material from our Prison Law Library. At this time I'm requesting to the court a pardon on the fact that This Law Library is Not either able or refuse to give me Michael Unit's Employer Roster, even after multiple of request, So I am not able to include the "Captain's" full name on the Complaint. However everything else is full and as correct as possible. In the event, that or if I am able to regain access at the proper legal material. I will send you the correct and full name of the Defendant if you are not able to do so either for Case (Disciplinary) #20160313194

Respectfully
Submitted
Vusef Hollins

1864680
Nusef Hollins #1864680
B. Clements Street
Box 15041 541
Amerville Tx. 79107

US District Court
Eastern District of Texas
211 W. Ferguson St
Tyler Texas 75702
757027220 0015



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